



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.				
10/577,587	04/27/2006	Dongwei Cai	21499P	2264				
210 MERCK AND CO., INC P O BOX 2000 RAHWAY, NJ 07065-0907	7590 02/13/2008		<table border="1"><tr><td colspan="2">EXAMINER</td></tr><tr><td colspan="2">RAHMANI, NILOOFAR</td></tr></table>		EXAMINER		RAHMANI, NILOOFAR	
EXAMINER								
RAHMANI, NILOOFAR								
			<table border="1"><tr><td>ART UNIT</td><td>PAPER NUMBER</td></tr><tr><td>1625</td><td></td></tr></table>	ART UNIT	PAPER NUMBER	1625		
ART UNIT	PAPER NUMBER							
1625								
			<table border="1"><tr><td>MAIL DATE</td><td>DELIVERY MODE</td></tr><tr><td>02/13/2008</td><td>PAPER</td></tr></table>	MAIL DATE	DELIVERY MODE	02/13/2008	PAPER	
MAIL DATE	DELIVERY MODE							
02/13/2008	PAPER							

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Supplemental  
Notice of Allowability**

Application No.

10/577,587

Examiner

NILOOFAR RAHMANI

Applicant(s)

CAI ET AL.

Art Unit

1625

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04/27/2006.
2. ☒ The allowed claim(s) is/are 2,3 and 11-15.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
- ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

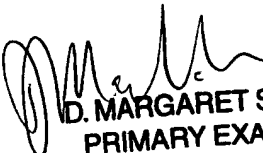
5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other \_\_\_\_\_.

  
**D. MARGARET SEAMAN  
PRIMARY EXAMINER**

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James L. McGinnis on February 11, 2008.

#### IN THE CLAIMS –

Claim 2, pages 3, line 7, **CHANGE** "1S,4S)-4-isopropyl-4-{{3-(trifluoromethyl)-7,8-dihydro-1,6-naphthyridin-6(5H)-yl}carbonyl}cuclopent-2-en-1-amine" to "1S,4S)-4-isopropyl-4-{{3-(trifluoromethyl)-7,8-dihydro-1,6-naphthyridin-6(5H)-yl}carbonyl}cyclopent-2-en-1-amine"

Claim 3, pages 3, line 7, **CHANGE** "1S,4S)-4-isopropyl-4-{{3-(trifluoromethyl)-7,8-dihydro-1,6-naphthyridin-6(5H)-yl}carbonyl}cuclopent-2-en-1-amine" to "1S,4S)-4-isopropyl-4-{{3-(trifluoromethyl)-7,8-dihydro-1,6-naphthyridin-6(5H)-yl}carbonyl}cyclopent-2-en-1-amine"

#### ***Allowable Subject Matter***

Claims 1-6,8-12,16-19,21-24,26-28,30-32 are allowed.

The above Examiner's Amendment changes "cuclopent" to "cyclopent".

The following is an examiner's statement of reasons for allowance:

Art Unit: 1625

Claims 1-6,8-12,16,19,21-24,26-28,and 30-32 were rejected under Obvious Double Patenting in the previous office action and the rejection is withdrawn in light of applicant's amendment argument in the paper dated on 09/07/2006.

Any comments considered necessary by applicant must be submitted no late than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Niloofar Rahmani whose telephone number is 571-272-4329. The examiner can normally be reached on Monday through Friday from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Janet Andres, can be reached on 571-272-0867. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NILOOFAR RAHMANI

02/11/2008

NR

  
MARGARET D. SEAMAN

PRIMARY EXAMINER

GROUP 1625